

DR. ORLY TAITZ, ESQ

DEFEND OUR FREEDOMS FOUNDATION

29839 SANTA MARGARITA PKWY, STE 100

RANCHO SANTA MARGARITA, CA 92688

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Pursuant to the order of this court “Defend Our Freedoms foundation” (DOFF) is filing this 2 page request, seeking a leave of court for this court to comply with an outstanding order by the Third Circuit Court of Appeals to hear all of the outstanding motions, that were not heard in this case for two years now.

In case the request is not granted, as this court is part of the 9<sup>th</sup> circuit and the court might not be willing to comply with an order from the Third Circuit, the defendant will be seeking a Writ of Mandamus from the 9<sup>th</sup> circuit, to confirm and enforce the order from the Third circuit, to be filed simultaneously with the appeal of denial of AntiSLAPP motion. For 2 years now defendants filed motions to dismiss under 12b1, 12B6 and antiSLAPP and none were decided with prejudice. The president of DOFF is a known dissident against Obama regime. For over two years the defendants were harassed by a frivolous SLAPP lawsuit. The lead plaintiff in this case is a convicted document forger and thief Lisa Liberi, her co-plaintiff and attorney Philip Berg, for whom Liberi works as a paralegal, as well as web master Lisa Ostella and Blog radio talk show host Evelyn Adams. Liberi and Berg are public figures, who repeatedly appeared on Adams internet radio show. Adams is a public figure as a talk show host. Ostella is a public figure, as she currently hosts multiple public web sites.

Plaintiffs filed a complaint for Assault, Defamation and Slander, which was filed a few days after volunteer webmaster Ostella locked Taitz out of the web site for DOFF, she replaced Taitz paypal account with her own and continued soliciting donations. At the same time she started using old DOFF web site to defame Taitz,

the President of DOFF and promote Berg, who had no connection to the foundation. Taitz, president of DOFF, had to create a new web site for her foundation, where she posted an announcement, that her old web site was taken over by the volunteer web master, that any donations given through paypal on the old web site will not go to the foundation, but will go to Ostella, to her private bank account. Taitz, also, published a true and correct copy of the criminal record of Liberi, showing that in San Bernardino county alone, Liberi was charged with 27 felony counts of burglary, forgery, forgery of an official seal and grand theft and convicted of 10 felony counts of forgery and theft. Taitz advised her supporters and donors, that they should be mindful of Liberi's history, as they are making donations. Additionally, Taitz raised a concern, as Taitz and Berg had similar cases, documents prepared by a document forger Liberi, undermined the case and the cause. Plaintiffs claimed defamation and tried to create an impression, that Liberi was a different person residing in PA, they also refused to provide Liberi's ID and proof of residency, making outrageous slanderous allegations, that Liberi is afraid and that Taitz tried to hire a hit man to kill Liberi and kidnap children of Ostella. A 12.23.2010 memorandum by former judge on the case, Eduardo Robreno states that neither one of the plaintiffs was credible on the stand as a witness and there was no basis in any of their allegations. Additionally, Plaintiffs are in contempt of court for two years now, as they never filed with court Liberi's identification records, as ordered by judge Robreno during the 08.07.2009 motion hearing. Taitz filed a motion with the 3<sup>rd</sup> circuit, seeking a decision on the merits on her multiple motions to dismiss under 12b1, 12b6 and AntiSLAPP. Third Circuit ruled that the transferee court is to rule on all of these motions. It was a clear intend of the court of Appeals, for those motions to be decided upon with prejudice and on the merit, not to be summarily denied in order to give the Plaintiffs green light to file a new complaint and start a new wave of harassment. After 2 years of litigation and thousands of pages of pleadings defendants are entitled for this order to be complied with and the federal court not to be used as a tool of harassment of a dissident leader by a known criminal and her associates.

Respectfully submitted, Dr. Orly Taitz, ESQ, Pres of DOFF